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NOV 06 2006

Application No.: 10/676454

Case No.: 58611US002

REMARKS

Claims 18 to 35 are pending. The rejections from the May 19, 2006 office action are maintained in the office action dated September 5, 2006. As stated in the office action, Examiner agrees with applicant regarding the use of the transitional phrase. However, applicant had not submitted evidence supporting the argument that softeners, which include oils and various plasticizers, would materially affect the basis and novel characteristics of the claimed invention.

Attached to this response is an excerpt from the Handbook of Pressure Sensitive Adhesive Technology. Cited on page 172 is the following passage:

If a compatible oil is added to an elastomer, the effect is the plasticization of the elastomer. This is expressed as the decrease of storage modulus ( $G'$ ) and this effect for natural rubber is shown in Figure 10-1 [2]. The modulus decreases at all frequencies with the increasing amount of plasticizing oil.

Therefore, as is known in the art, use of plasticizers does have an effect on the physical properties of the adhesive. Applicant reiterates the arguments presented in response to the May 19, 2006 Office Action.

Shizuno et al. discloses an adhesive that comprises a base polymer, a tackifier, a softener and an antioxidant. (emphasis added, Shizuno et al., ¶ 55). The softener is disclosed to include process oil, mineral oil, various plasticizers, polybutene, and liquid tackifying resins. (Shizuno et al., ¶ 57). Addition of a softener would affect the physical properties of the resulting adhesive. (Handbook of Pressure Sensitive Adhesive Technology, p. 172). Independent claims 18 and 27 include an adhesive that consists essentially of an elastomer and a tackifier. Because Shizuno et al. also discloses that a softener is required in its adhesive, Shizuno et al. does not teach or suggest the elements of the claimed invention. Therefore, claims 18 and 27 are not anticipated or made obvious by Shizuno et al. Further, claims 19-22 and 28-31 depend from claims 18 and 27, respectively, and include all of the limitations of the independent claim. Therefore, dependent claims 19-22 and 28-31 are also not anticipated or made obvious by Shizuno et al.

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In view of the above, it is submitted that the application is in condition for allowance.  
Reconsideration of the application is requested.

Respectfully submitted,

11/6/2006

Date

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